

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION**

ANDRE MICHAEL LAFONTAINE,
III,

Plaintiff,

vs.

UNITED STATES OF AMERICA, et
al.,

Defendants.

No. 17-CV-2029-LRR

ORDER

The matter before the court is Plaintiff Andre Michael LaFontaine, III's pro se motion to reconsider ("Motion") (docket no. 10), which was filed on October 17, 2019. In the Motion, Plaintiff requests "review due to the [d]istrict [c]ourt erred in dismissing his pro se complaint[.]" Motion at 1. Plaintiff asserts that the court "sent [him] a[n] order stating [he] did not satisfy the court with his filing of his AO 240 financial affidavit document no. 4 which was not received . . . however [P]laintiff did in fact receive document no. 5 [which] conveniently dismiss[ed] his claim[, but he] did in fact meet all requirements required of his AO 240 financial affidavit[.]" Motion at 2.

Defendant states nothing in the Motion that leads the court to a different conclusion. On December 29, 2017, the court entered an Order (docket no. 4) giving Plaintiff thirty days to supplement his Motion to Proceed In Forma Pauperis (docket no. 1) due to inconsistencies with his financial affidavit. *See* December 19, 2017 Order at 2. In the Motion, Plaintiff asserts that he did not receive the December 19, 2017 Order; however, nothing in the record supports Plaintiff's assertion. On January 30, 2018, because Plaintiff failed to comply with the court's order, the case was dismissed. *See* January 30, 2018 Order (docket no. 5). On February 21, 2018, Plaintiff filed a pro se Motion to Reopen

Case (docket no. 6). The court denied the Motion to Reopen Case, noting that, because the prior dismissal of the case was without prejudice, Plaintiff could “file a new case setting out the same claims.” March 5, 2018 Order (docket no. 7) at 1. Further, the court stated that “Plaintiff is free to file a new case, and either pay the filing fee or file a new application to proceed in forma pauperis which complies with 28 U.S.C. § 1915.” *Id.* On March 26, 2018, mail sent to Plaintiff, which included the court’s March 5, 2018 Order, was returned as undeliverable. *See* docket no. 8. The court admonishes Plaintiff that it is his obligation to keep the court apprised of his address. Here, too much time has passed and no remedies are available to Plaintiff. Therefore, this matter shall remain closed. Accordingly, the Motion is **DENIED**.

IT IS SO ORDERED.

DATED this 17th day of October, 2019.

A handwritten signature in black ink, appearing to read "Linda R. Reade", is written over a horizontal line.

LINDA R. READE, JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA